Appl. No. 10/034,001
Response mailed March 16, 2006
Reply to Office Action, mailed date November 16, 2005

Docket No. No. 14441RRUS01U

REMARKS

Claims 1-18 are pending in the application.

Claims 1-18 have been rejected.

Claims 1, 3, 5, 6, 8-10, and 12-16 have been amended.

Claim 2 has been cancelled without prejudice.

No new matter has been added.

Reconsideration of the Claims is respectfully requested.

1. Objection

Claims 5 and 8 where objected due to informalities. Appropriate correction has been made.

2. Rejection under 35 U.S.C. § 112, ¶ 2

Claims 1-8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention. Claim 1 has been amended. Applicant respectfully requests that this rejection be withdrawn.

2. Rejection under 35 U.S.C. § 102(e)

For establishing anticipation, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. . . . The identical invention must be shown in as complete detail as is contained in the . . . claim." MPEP § 2131 at p. 2100-73 (8th ed., rev. 3, August 2005) (citations omitted).

(a) Claims 1 and 16 were rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application No. 2002/10138622 A1 to Dorenbosch et al. ("Dorenbosch").

Dorenbosch relates to a "private network [that] is supplied with or allowed to use a small, relative to the population of units within the network, number of public addresses." (Dorenbosch ¶ 0004). In providing this mechanism, the boundary network device of Dorenbosch deploys "network address translation at the boundary between the private and public networks [where] one of these public addresses can be dynamically associated with a private address thus allowing an external host or client to establish a session with a unit within the private network." *Id.* That

is, Dorenbosch does not implement a method or apparatus with a dynamic host configuration protocol server.

In contrast to the boundary network device of Dorenbosch, the DHCP server "The dynamic host configuration protocol (DHCP) is a TCP/IP protocol that enables personal computers and workstations to obtain temporary or permanent IP addresses to use for routing communication signals. Typically a DHCP server communicates with the DHCP clients to dynamically assign IP addresses to nodes whenever needed. DHCP supports manual, automatic and dynamic address assignment and provides the client sub-net mask gateway addresses and domain name server addresses. A DHCP server verifies a device identity and 'leases' it an IP address on a dynamic basis for use for a specified amount of time. Thereafter, the leased address is reclaimed for reassignment." (Specification at p. 12, *ll.* 9-19).

Accordingly, Applicant's amended Claim 1 recites "method in a network for wireless communications for pushing data through a data packet network utilizing a dynamic addressing scheme, comprising: transmitting, from a push server to a domain name server ("DNS"), a look up signal for a specified domain name; transmitting a reservation signal from the DNS to a dynamic host configuration protocol ("DHCP") server to prompt the DHCP to reserve a dynamic IP address that pertains to the specified domain name, wherein the specified domain name corresponds to a mobile terminal; receiving the reserved dynamic IP address at the push server; and activating a context, based upon the reserved dynamic IP address, through the data packet network."

Applicant's Claim 16 recites a "domain name server, comprising: circuitry for receiving a domain name lookup request from a push server to determine an IP address that corresponds to a received domain name; and circuitry for transmitting a request to a DHCP dynamic host configuration protocol ("DHCP") server to prompt it to temporarily reserve a dynamic IP address for delivery of push data to a mobile terminal."

Accordingly, Applicant respectfully submits that each and every element as set forth in Applicant's claimed invention is not found in Dorenbosch. Applicant respectfully requests that the rejection to Independent Claim 1 and Claim 16 be withdrawn.

(b) Claims 9, and 12-13 were rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,961,322 to Viola et al. ("Viola").

Viola recites a "[m]obile stations or handsets [that] may connect to the internet to activate certain applications through various servers. To access the internet, an Internet Protocol address is required." (Viola Col. 1:9-11). The "[m]obile station or handset 10 transmits a Packet Data Protocol (PDP) context activation 15 to get a dynamic Internet Protocol address from mobile network gateway (MNG) 20 (for GPRS services that is the Gateway GPRS Support Node or GGSN)." (Viola Col. 1:54-57). That is, allocation of a dynamic IP address, having a limited-time of validity, is by the mobile station, not the network.

In contrast, Applicant's Claim 9 recites, *inter alia*, a "method in a Gateway GPRS Support Node for pushing data through a data packet network utilizing a dynamic addressing scheme, comprising: <u>receiving a reserved dynamic IP address and push data from a push server</u>; transmitting a request for identification ("ID") information to a DHCP server relating to the reserved dynamic IP address; . . . ."

The GPRS of Viola receives a PDP context activate request to the GPRS. The activate request does not originate from push data.

In contrast, Applicant's Claim 12 recites, *inter alia*, a "gateway GPRS support node (GGSN), comprising: circuitry for receiving push data in a data packet network, <u>wherein the push data includes a reserved dynamic Internet Protocol ("IP") address</u>; and circuitry for prompting a DHCP dynamic host configuration protocol ("DHCP") server to provide ID identification ("ID") information that corresponds to the reserved dynamic IP address prior to a context being activated." (emphasis added).

Accordingly, Applicant respectfully submits that each and every element as set forth in Applicant's claimed invention is not found in Viola. Applicant respectfully requests that the rejection to Independent Claim 9 and to Independent Claim 12, and to Claim 13 that depends therefrom, be withdrawn.

3.   Rejection under 35 U.S.C. § 103(a)

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The

teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP § 2142, p. 2100-134 (8th ed., rev. 3, August 2005) (citations omitted).

(a) Claims 2-8, 17-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dorenbosch in view of Viola.

Claim 2 has been cancelled without prejudice. Claims 3 through 8 depend directly or indirectly from Claim 1. Claims 17 and 18 depend directly or indirectly from Claim 16. In that Dorenbosch does not provide the elements sufficient to substantiate *prima facie* anticipation with respect to amended Claim 1 and Claim 16, Applicant respectfully submits that the hypothetical combination of Dorenbosch and Viola do not "teach or suggest all the claim limitations" of Applicant's claims 3 through 8 and claims 17 and 18.

Further, Applicant respectfully submits that motivation for the hypothetical combination of Dorenbosch and Viola stems from its own specification. For example, the Office Action recited in that Viola accesses a DHCP upon prompting of a mobile station (*see* Viola Col. 1:53-57). Dorenbosch refers to an HLR, but Viola, which references a DHCP (*see* Viola Figure 1), does not. (*see* Dorenbosch ¶ 0019; *contrasted with* Viola).

Accordingly, Applicant respectfully submits that there has not been a *prima facie* showing that substantiates the rejection of Applicant's claimed invention. There is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the network boundary device of Dorenbosch and the mobile-station-obtained-IP-address of Viola to achieve Applicant's claimed invention as set out in Claims 3 through 8, which depend directly or indirectly from Claim 1, and Claims 17 and 18, which depend directly or indirectly from Claim 16. Applicant respectfully requests that the rejection to these claims be withdrawn.

(b) Claims 10-11, 14-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Viola in view of Dorenbosch.

Claims 10 and 11 depend directly or indirectly from Claim 9. Claims 14 and 15 depend directly from Claim 12. In that Viola does not provide the elements sufficient to substantiate *prima facie* anticipation with respect to Claim 9 and Claim 12, Applicant respectfully submits that the hypothetical combination of Viola and Dorenbosch do not "teach or suggest all the claim limitations" of Applicant's claims 10 and 11, and claims 14 and 15.

Further, Applicant respectfully submits that motivation for the hypothetical combination of Viola and Dorenbosch stems from its own specification. For example, Applicant's Claim 9 recites, *inter alia*, a "method in a gateway GPRS support node ("GGSN") . . . comprising: receiving a reserved dynamic IP address and push data from a push server; . . . ." Applicant's Claim 12 recites, *inter alia*, a "gateway GPRS support node (GGSN), comprising: circuitry for receiving push data in a data packet network, wherein the push data includes a reserved dynamic Internet Protocol ("IP") address; . . . ."

Viola recites a gateway (*see* Figure 1, element 20), but retrieval of a dynamic IP address is upon the prompting of a mobile station (*see* Viola Col. 1:53-57). Dorenbosch refers to an HLR, but Viola, which references a DHCP (*see* Viola Figure 1), does not. (*see* Dorenbosch ¶ 0019; *contrasted with* Viola).

Accordingly, Applicant respectfully submits that there has not been a *prima facie* showing that substantiates the rejection of Applicant's claimed invention. There is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the mobile-station-obtained-IP-address of Viola and the network boundary device of Dorenbosch to achieve Applicant's claimed invention as set out in Claims 10 and 11, which depend directly or indirectly from Claim 9, and as set out in Claims 14 and 15, which depend directly from Claim 12. Applicant respectfully requests that the rejection to these claims be withdrawn.

4. Conclusion

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at ksmith@texaspatents.com.

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The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126.

Respectfully submitted.

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